

EXHIBIT 1

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 20-10249-RR

In Re: Equifax, Inc., Customer Data Security Breach Litigation

SHIYANG HUANG,
THEODORE H. FRANK,
DAVID R. WATKINS,
MIKELL WEST,
CHRISTOPHER ANDREWS,
GEORGE W. COCHRAN,
ALICE-MARIE FLOWERS,

Movants - Appellants,

BRIAN F. SPECTOR,
JAMES MCGONNIGAL,
RANDOLPH JEFFERSON CARY, III,
ROBIN D. PORTER,
WILLIAM R. PORTER, et al.,

Plaintiffs - Appellees,

versus

EQUIFAX INC.,
DOES 1 THROUGH 50, INCLUSIVE,
EQUIFAX INFORMATION SERVICES LLC,
a foreign limited liability company,
EQUIFAX INFORMATION SOLUTIONS, LLC,
DOES 1 THROUGH 10, et al.,

Defendants - Appellees.

On Appeal from the United States
District Court for the Northern District of Georgia

BEFORE: WILLIAM PRYOR, Chief Judge, and ROSENBAUM and LAGOA, Circuit Judges.

BY THE COURT:

Appellants Theodore H. Frank and David R. Watkins’ “Time-Sensitive Motion to Reconsider Denial of Rule 10(e)(2)(C) Motion” is DENIED.

In light of the district court’s May 15, 2020 order (Doc. 1106), however, the Court clarifies that its May 7, 2020 order denying Appellants’ “Motion for Relief under Fed. R. App. Proc. 10(e)(2)(C)” did not “reject[] [Appellants’] claim that the proposed final approval order was necessary for any issue on appeal.” The Court takes no position on that issue at this time. Instead, Federal Rule of Appellate Procedure 10(e)(2) does not apply because the material at issue was not omitted from the record “by error or accident.”